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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/021,813  | 12/14/2001  | Wayne Cohen          | A33677              | 6026             |
| 21003   | 7590        | 09/16/2004           | EXAMINER            |                  |
| BAKER & BOTTS<br>30 ROCKEFELLER PLAZA<br>NEW YORK, NY 10112 |             |                      | MIGGINS, MICHAEL C  |                  |
|   |             | ART UNIT             | PAPER NUMBER        | 1772             |

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|   |                                |                  |  |
|---|--------------------------------|------------------|--|
| <b>Response to Rule 312 Communication</b> | Application No.                | Applicant(s)     |  |
|   | 10/021,813                     | COHEN, WAYNE     |  |
|   | Examiner<br>Michael C. Miggins | Art Unit<br>1772 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1.  The amendment filed on 23 February 2004 under 37 CFR 1.312 has been considered, and has been:

- a)  entered.
- b)  entered as directed to matters of form not affecting the scope of the invention.
- c)  disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d)  disapproved. See explanation below.
- e)  entered in part. See explanation below.

*Applicant's proposed amendment changes the scope of the claims. Also the claim headers are wrong, eg, "previously Amended" should be changed to "previously presented".*

*Harold Pyon*  
HAROLD PYON  
SUPERVISORY PATENT EXAMINER  
*1772* 9/14/04